

REMARKS

I. Introductory Comments

In the non-final Office Action mailed October 9, 2007 (hereinafter "Office Action"), the Examiner, *inter alia*, rejected dependent claim 26 under 35 U.S.C. §103(a) as being unpatentable over the combination of U.S. Patent No. 6,210, 549 (hereinafter "Tharp"), and U.S. Patent No. 5,688,384 (hereinafter "Hodgson"). Applicants filed a response to the Office Action on January 7, 2008 (hereinafter "Response") amending the independent claims and arguing for their patentability over the prior art.

In the Response, based on information available at the time, Applicants asserted a belief that Hodgson was unavailable as prior art under §103(c), as it was believed that Hodgson and the claimed invention were, at the time the claimed invention was made, owned by the same legal entity. Applicants also stated an intent to provide additional material to support this contention in a supplemental filing.

Upon conducting additional research regarding the chain of title of Hodgson, Applicants are now withdrawing their §103(c) objection. Applicants no longer contend that Hodgson and the claimed invention were, at the time the claimed invention was made, owned by the same legal entity. Applicants are not, however, admitting that Hodgson is prior art. Applicants are simply no longer objecting to Hodgson under §103(c).

As discussed in the Response, Applicants maintain that the presently pending claims are patentable over the prior art, and also patentable over Hodgson. Further, Applicants believe that there are also reasons other than those set forth in the Response why the pending claims are patentable, and reserve the right to set forth those reasons, and to argue for the patentability of claims not explicitly addressed herein, in future papers.

CONCLUSION

Applicants believe that no fee is due with this supplemental response. However, if a fee is due, please charge our Deposit Account No. 18-0013, under Order No. 66221-0035 from which the undersigned is authorized to draw.

Dated: January 15, 2008

Respectfully submitted,

Electronic signature: /Justin S. Cohen /
Justin S. Cohen
Registration No.: 59,964
RADER, FISHMAN & GRAUER PLLC
Correspondence Customer Number: 10291
Attorneys for Applicant